

REMARKS

Claims 1-5 are pending in this application, and stand rejected under 35 U.S.C. §102 as being anticipated by Lee. None of the claims is currently amended. Reconsideration and further examination are respectfully requested.

The Office suggests that the power control information sent from the base station to mobile stations per Lee is analogous to the claimed message received by a station from an access point. Applicant traverses. The Lee power control information is transmitted in the form of at least one power control bit.¹ The power control bits are generated from a Signal-to-Interference-plus-Noise Ratio (SINR) measurement of mobile station transmissions performed by the base station.² The power control information is thus clearly a function of mobile station transmit power. In contrast, the presently claimed message is a function of access point transmission power. Since the Office is equating an access point with a base station, and a STA with a mobile station, in the context of this application Lee would have the AP signal an indication of STA transmission power to the STA, whereas the presently claimed invention has the AP signal an indication of AP transmit power to the STA. This distinguishing point is recited in claim 1 as “the message containing information about the access point's power level,” (emphasis added) and in claim 5 as “the message containing a transmit power backoff level that indicates how far the access point's power has been reduced.” (emphasis added) Claims 2-4 are dependent claims which further define the invention, and which are allowable for the same reason as claim 1.

1. Withdrawal of the rejections of claim 1-5 is therefore requested.

¹ See col. 4, lines 28-33

² Col. 4, lines 46-55

For the reasons stated above, this application is now considered to be in condition for allowance and such action is earnestly solicited. Should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Applicants' Attorney at the number listed below so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

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Date

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